

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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|---------------------|---|-------------------------------|
| RONALD GARRIS, Jr., | : | |
| | : | |
| Petitioner, | : | Civ. No. 21-14466 (RBK) |
| | : | |
| v. | : | |
| | : | |
| WARDEN BERGAMI, | : | MEMORANDUM & ORDER |
| | : | |
| Respondent. | : | |
| | : | |

Petitioner, Ronald Garriss, Jr. (“Petitioner” or “Garriss”), is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On July 27, 2023, this Court denied Petitioner’s habeas petition. (*See* ECF 15 & 16). Petitioner then filed a notice of appeal. (*See* ECF 17). Presently pending before this Court is Petitioner’s application to proceed *in forma pauperis* on appeal. (*See* ECF 18). The Clerk will be ordered to reopen this case so that Petitioner’s application can be analyzed.

Pursuant to Federal Rule of Appellate Procedure 24(a)(1), this Court may grant a petitioner *in forma pauperis* status on appeal only where the petitioner shows, in the detail required by Form 4 of the Appendix of Forms, that he is unable to pay or to give security for the fees and costs on appeal, and states the issues that he intends to present on appeal. Under Local Appellate Rule 24.1(c), however, in those cases where 28 U.S.C. § 1915(b) does not apply, such as in the habeas context, those prisoners seeking to appeal *in forma pauperis* must also file “an affidavit of poverty in the form prescribed by the Federal Rules of Appellate Procedure accompanied by a certified statement of the prison account statement(s) (or institutional equivalent) for the 6 month period preceding the filing of the notice of appeal.” 3d Cir. L. App.

R. 24.1(c). Petitioner has complied with these rules such that the application to proceed *in forma pauperis* will be granted.

Accordingly, IT IS on this 25th day of August, 2023,

ORDERED that the Clerk shall reopen this case so that Petitioner's application to proceed *in forma pauperis* on appeal (ECF 18) can be analyzed; and it is further

ORDERED that Petitioner's application to proceed *in forma pauperis* on appeal (ECF 18) is granted; and it is further

ORDERED that the Clerk shall forward a copy of this order to the Clerk of Court for the United States Court of Appeals for the Third Circuit; and it is further

ORDERED that the Clerk shall serve this memorandum and order on Petitioner by regular U.S. Mail; and it is further

ORDERED that the Clerk shall reclose this case.

s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge